

REMARKS/ARGUMENTS

The Examiner is thanked for the performance of a thorough search. By this amendment, Claims 1, 6, 10, 12, 15, 18, 22, 30, 31, 33-39, 41-43 and 45-51 have been amended. Claims 3, 11, 15, 23-29, 32, 40, 44 and 52 have been canceled. No claims have been added. Hence, Claims 1,2, 4-10, 12-14, 16-22, 30, 31, 33-39, 41-43 and 45-51 are pending in the application.

CLAIM AMENDMENTS

Claim 1 has been amended to include dependent Claim 3 and Claim 3 has been canceled. Claim 6 has been amended into an independent claim by including Claim 1 and Claim 11 and Claim 11 has been canceled. Claim 10 has been amended into an independent claim by including Claim 1 and 6. Claim 12 has been amended to include dependent Claim 15 and Claim 15 has been canceled. Claim 18 has been amended into an independent claim by including Claim 12 and Claim 23 and Claim 23 has been canceled. Claim 22 has been amended into an independent claim by including Claim 12 and 18.

SUMMARY OF THE REJECTIONS/OBJECTIONS

Claims 24-52 are rejected under 35 U.S.C. § 101 as being unpatentable because the claimed invention is directed to non-statutory subject matter. It is alleged that computer-readable medium is not tangibly embodied because it includes acoustic and light waves as transmission media. Claims 24-29, 32, 40, 44 and 52 have been canceled. Claims 30, 31, 33-39, 41-43 and 45-51 have been amended to “computer-readable *storage* medium” to comply with structural limitation requirements and this rejection is traversed.

THE REJECTIONS BASED ON THE PRIOR ART

Claims 1-2, 4-14, 16-31, 33-43 and 45-52 are rejected under 35 U.S.C. § 102(e) as being anticipated over U.S. Patent No. 6,615,204 by Menon ("Menon"). Claims 3, 15, 32 and 44 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Menon in view of U.S. Application Publication No. US 2004/0267744 A1 by Becker et al. ("Becker").

CLAIM 1 AND 12

Claim 1 has been amended to include dependent Claim 3. Claim 12 has been amended to include Claim 15. Thus amended Claims 1 and 12 recite "...[upgrading application by] creating a first replacement table to hold the data from said first table". Because this section was originally in Claim 3 and 15, arguments are taken from the Claim 3 and 15 rejection. Becker teaches that a destination table is created, the destination table having a second data structure which is different than the first data structure. Here, a replacement table is created without a different data structure different than the first. It must be noted that within the context of Becker, the process is to change the data structure which an application program in a computer system uses to access database systems. Thus with different goals, Becker simply does not disclose the limitation of creating a first replacement table in the manner as stated in the claims.

Claims 1 and 12 recite "copying the data from said first table to said first replacement table, wherein data from said one or more default attributes of said first object type is copied from said first table into said first replacement table". Becker discloses that the destination table is copied to a copy of the destination table in a second database system. However, no copy is made of the replacement table in the claim and furthermore, no second database system

is employed to accomplish this task. Becker does not teach copying data from the first table to another table with the same data structure in the same database system.

Claims 1 and 12 continues “deleting said first table”. The Office Action states that Becker does not explicitly disclose that the first table is deleted but that an option is to keep the copy of the destination table, and thus deletion of the *destination* table is inherent. However, previously, the Office Action equated the destination as the first replacement table. The destination table is not the table to be deleted, it is the *first table* to be deleted. This limitation is not taught or disclosed within Becker.

Claims 1 and 12 continues by stating analogous processes for the second table to be copied and deleted. Becker teaches that “the description allows a person skilled in the art to adapt the method to a plurality of tables as well.” Thus Becker’s teachings can be applied to the copying of other tables. However, Becker failed to disclose each limitation as the initial copying of the first table. As a result, those limitations are also not taught here.

Claims 1 and 12 concludes “retaining, in said third table, values for said first custom attribute of said first object type and said second custom attribute of said second object type”. The Office Action alleges Menon teaches retaining the third table and that this is disclosed within Fig. 11. However, there is no suggestion within Menon that the third table should be retained during an upgrade of the application. Indeed, upgrading is not even mentioned within Menon. Simply viewing a representation of a table within a figure does not disclose the action of retaining the third table in the event of an application upgrade. Thus Menon and Becker fail to teach or disclose every element of Claims 1 and 12 the rejection of Claims 1 and 12 is traversed.

CLAIM 6 AND 18

Independent Claim 6 has been amended to include the elements of Claim 1 and Claim 11. Independent Claim 18 has been amended to include the elements of Claim 12 and Claim 23. Claims 6 and 18 recite “the method further comprises performing the following steps *in response to a request* to access an object instance of a particular object type: reading said catalog table to determine the custom attributes of said particular object type”. The Office Action alleges that Menon teaches this limitation in “For example, such tool 224 can be used to read or modify attribute values and/or to read an asset directly”. However, Menon does not disclose reading the catalog table *as a response to a request* and thus the cited art fails to disclose each limitation of Claims 6 and 18.

Claims 6 and 18 continue “based on the information from said catalog table, constructing in volatile memory data structures that indicate the custom attributes of said particular object type”. Menon discloses that “once in memory, a client uses accessor methods of AmsBase to get individual attributes of a data object.” However, the formation of the data structure in memory is initiated by a response to a request, a limitation not taught by Menon.

Claims 6 and 18 conclude “in response to a subsequent request to access an object instance of said particular object type, inspecting said data structures, without accessing said catalog table, to determine the custom attributes of said particular object type”. Menon teaches that “an application program could at runtime, query this property list to determine the structure, i.e. attributes and types, and values of the object’s metadata. Consequently, it is not necessary for the application to use built-in accessor methods to read the attributes”. Here, Menon fails to disclose that the data structure inspected is not the same data structure created upon the initial reading of the catalog table. In Menon, the metadata placed into memory from the previous section is not the same data structure as the property list cited here. Thus Menon

fails to teach or disclose every element of Claims 6 and 18 the rejection of Claims 6 and 18 is traversed.

CLAIM 10 AND 22

Independent Claim 10 has been amended to include the elements of Claim 1 and Claim 6. Independent Claim 22 has been amended to include the elements of Claim 12 and Claim 18. Claims 10 and 22 recite “the method further comprises performing the following steps **in response to said application being launched**: reading said catalog table to determine custom attributes from said plurality of object types”. The Office Action alleges that Menon teaches this limitation with “For example, such tool 224 can be used to read or modify attribute values and/or to read an asset directly”. However, Menon does not disclose reading the catalog table as a response to the application being launched. No mention is made within the cited art of steps to be performed in *response to the application being launched* and thus Menon fails to teach every limitation of Claims 10 and 22. The remaining elements of Claims 10 and 22 are identical to and discussed with Claim 6 and 18.

DEPENDENT CLAIMS

Claims 2, 4 and 5 are dependents of independent Claim 1. Claims 7-9 are dependents of independent Claim 6. Claims 13, 14, 16 and 17 are dependents of independent Claim 12. Claims 19-21 are dependents of independent Claim 18. These dependant claims also include the limitations of claims upon which they depend. These dependant claims are patentable for at least those reasons the claims upon which the dependant claims depend are patentable. Thus reconsideration of the rejection on these claims is respectfully requested. Claims 30, 31, 33-39,

41-43 and 45-51 are the computer readable medium forms of Claims 1,2, 4-10, 12-14, 16-22 and should also be allowed.

For the reasons set forth above, it is respectfully submitted that all of the pending claims are now in condition for allowance. Therefore, the issuance of a formal Notice of Allowance is believed next in order, and that action is most earnestly solicited.

The Examiner is respectfully requested to contact the undersigned by telephone if it is believed that such contact would further the examination of the present application.

Please charge any shortages or credit any overages to Deposit Account No. 50-1302.

Respectfully submitted,

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